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By: Delegates McClenahan and W. Baker
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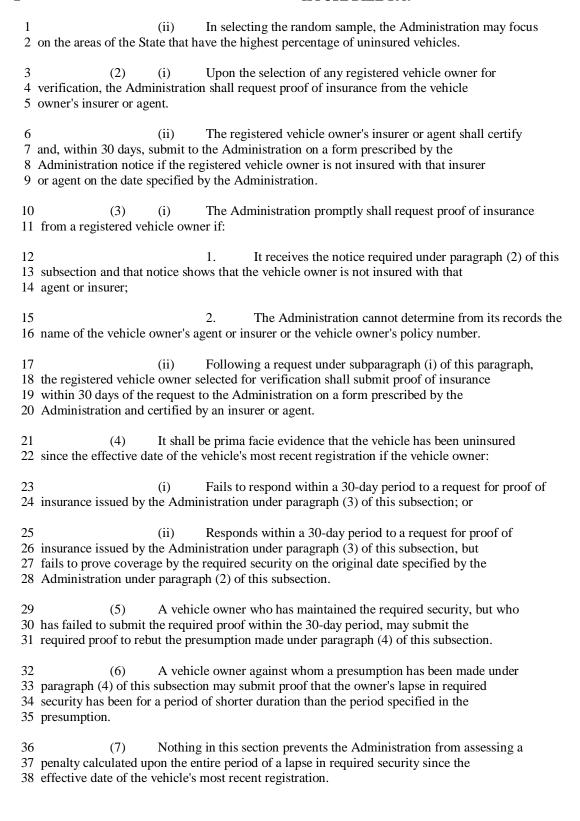
A BILL ENTITLED

1 AN ACT concerning

2 Motor Vehicle Administration - Verification of Vehicle Registrations

- 3 FOR the purpose of reducing the percentage of vehicle registrations verified by the
- 4 Motor Vehicle Administration on a random sample basis; repealing a certain
- 5 provision of law requiring the verification of certain vehicle security
- 6 requirements after a certain date; providing for a delayed effective date for a
- 7 portion of this Act; and generally relating to verification of vehicle security
- 8 requirements.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Transportation
- 11 Section 17-108
- 12 Annotated Code of Maryland
- 13 (1998 Replacement Volume and 1998 Supplement)
- 14 BY repealing
- 15 Article Transportation
- 16 Section 17-108
- 17 Annotated Code of Maryland
- 18 (1998 Replacement Volume and 1998 Supplement)
- 19 (As enacted by Section 1 of this Act)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 21 MARYLAND, That the Laws of Maryland read as follows:
- 22 Article Transportation
- 23 17-108.
- 24 (a) (1) (i) The Administration shall annually select for verification on a
- 25 random sample basis not less than [10] 5 percent of vehicle registrations subject to
- 26 the security required by this subtitle.

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3	(b) (1) The Administration shall periodically select for verification any statement of the required security by a person who has previously been convicted of violating the provisions of this subtitle, or whose statements of required security have previously been found to be incorrect.
5 6	(2) The Administration may determine the accuracy of information relating to proof of required security satisfying the provisions of this subtitle.
7 8	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:
9	Article - Transportation
10	[17-108.
	(a) (1) (i) The Administration shall annually select for verification on a random sample basis not less than 5 percent of vehicle registrations subject to the security required by this subtitle.
14 15	(ii) In selecting the random sample, the Administration may focus on the areas of the State that have the highest percentage of uninsured vehicles.
	(2) (i) Upon the selection of any registered vehicle owner for verification, the Administration shall request proof of insurance from the vehicle owner's insurer or agent.
21	(ii) The registered vehicle owner's insurer or agent shall certify and, within 30 days, submit to the Administration on a form prescribed by the Administration notice if the registered vehicle owner is not insured with that insurer or agent on the date specified by the Administration.
23 24	(3) (i) The Administration promptly shall request proof of insurance from a registered vehicle owner if:
	1. It receives the notice required under paragraph (2) of this subsection and that notice shows that the vehicle owner is not insured with that agent or insurer;
28 29	2. The Administration cannot determine from its records the name of the vehicle owner's agent or insurer or the vehicle owner's policy number.
32	(ii) Following a request under subparagraph (i) of this paragraph, the registered vehicle owner selected for verification shall submit proof of insurance within 30 days of the request to the Administration on a form prescribed by the Administration and certified by an insurer or agent.
34 35	(4) It shall be prima facie evidence that the vehicle has been uninsured since the effective date of the vehicle's most recent registration if the vehicle owner:

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1 Fails to respond within a 30-day period to a request for proof of 2 insurance issued by the Administration under paragraph (3) of this subsection; or Responds within a 30-day period to a request for proof of 3 (ii) 4 insurance issued by the Administration under paragraph (3) of this subsection, but 5 fails to prove coverage by the required security on the original date specified by the 6 Administration under paragraph (2) of this subsection. 7 A vehicle owner who has maintained the required security, but who 8 has failed to submit the required proof within the 30-day period, may submit the 9 required proof to rebut the presumption made under paragraph (4) of this subsection. 10 (6)A vehicle owner against whom a presumption has been made under 11 paragraph (4) of this subsection may submit proof that the owner's lapse in required 12 security has been for a period of shorter duration than the period specified in the 13 presumption. 14 Nothing in this section prevents the Administration from assessing a 15 penalty calculated upon the entire period of a lapse in required security since the 16 effective date of the vehicle's most recent registration. 17 The Administration shall periodically select for verification any 18 statement of the required security by a person who has previously been convicted of violating the provisions of this subtitle, or whose statements of required security have 20 previously been found to be incorrect. The Administration may determine the accuracy of information 22 relating to proof of required security satisfying the provisions of this subtitle.] SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall 23 24 take effect June 1, 1999 and shall remain effective through December 31, 1999. 25 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall 26 take effect January 1, 2000.